



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord filed under the Residential Tenancy Act (the “Act”), for a monetary order for damages to the unit.

Both parties appeared, gave testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

The parties confirmed receipt of all evidence submissions and there were no disputes in relation to review of the evidence submissions

I have reviewed all evidence and testimony before me that met the requirements of the rules of procedure. I refer only to the relevant facts and issues in this decision.

### Preliminary and procedural matters

At the outset of the hearing the landlord stated that there was a previous hearing on April 10, 2018 (the file number has been noted on the covering page of this decision).

The landlord submits that the hearing was scheduled by the tenant for the return of the security deposit. The landlord stated that the tenant’s application was dismissed without leave to reapply.

The landlord stated that they believe they do not need to proceed with their own application as it was in relation to keeping the security deposit; however, seek clarification on this matter, prior to withdrawing their application.

The tenant acknowledged they did not attend the hearing that was scheduled on April 10, 2018.

The hearing on April 10, 2018, dismissed the tenant's application for the return of the security deposit. I find that landlord is entitled to keep the security deposit based on the decision of April 10, 2018. The landlord's withdraws their application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 16, 2018

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Residential Tenancy Branch